

Applic. No. 10/687,005
Amdt. dated August 18, 2006
Reply to Office action of March 20, 2006

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Remarks/Arguments:

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Reconsideration of the application is requested.

Claims 15-19 are now in the application. Claims 15-19 have been added. Support for new claims 15-19 can be found in Figs. 3, 7, 8, and 9. No new matter has been added. Claims 1-14 are being cancelled herewith.

In item 2 on page 3 of the above-identified Office action, claims 5-8 have been rejected as being obvious over Instance (U.S. Patent No. 4,850,613) in view of Schafer (De 39 24 790 A1) under 35 U.S.C. § 103.

Claims 5-8 have been cancelled. Therefore, the rejection is moot.

New independent claims 15 and 19 will be discussed with respect to the reference of the above-given rejection.

Before discussing the prior art in detail, it is believed that a brief review of the invention as claimed, would be helpful.

Claims 15 and 19 call for, *inter alia*:

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a front printing face having an adhesive backing and having consecutive perforated tear lines spaced apart at distances that are substantially greater than a perimeter of the medicinal container for defining an individual label section.

The Instance reference discloses a label for attachment to a container. The label can be folded into a pocket that is attached to the container.

The Schafer reference discloses a label for placement on a container. The label has an undersheet (22) and an oversheet (21). The undersheet (22) is covered with adhesive and is attached to a container (10). The oversheet (21) is connected to the undersheet (22) at a strip (23).

It is a requirement for a *prima facie* case of obviousness, that the prior art references must teach or suggest all the claim limitations.

The references do not show or suggest a front printing face having an adhesive backing and having consecutive perforated tear lines spaced apart at distances that are substantially greater than a perimeter of the medicinal container for

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defining an individual label section, as recited in claims 15 and 19 of the instant application.

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The Instance reference discloses a label that can be folded to make a pocket that is attached a container. Instance does not disclose a front printing face having an adhesive backing and consecutive perforated tear lines spaced apart at distances that are substantially greater than a perimeter of the medicinal container. This is contrary to the invention of the instant application as claimed, in which a front printing face has an adhesive backing and consecutive perforated tear lines spaced apart at distances that are substantially greater than a perimeter of the medicinal container.

The Schafer reference discloses a label for placement on a container. The label has an undersheet and an oversheet. Schafer does not disclose a front printing face having an adhesive backing and consecutive perforated tear lines spaced apart at distances that are substantially greater than a perimeter of the medicinal container. This is contrary to the invention of the instant application as claimed, in which a front printing face has an adhesive backing and consecutive perforated tear lines spaced apart at distances that are substantially greater than a perimeter of the medicinal container.

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The references cited by the Examiner do not teach or suggest all the claim limitations. Therefore, it is believed that there is no *prima facie* case of obviousness.

Since claim 15 is believed to be allowable, dependent claims 16-18 are believed to be allowable as well.

It is accordingly believed to be clear that none of the references, whether taken alone or in any combination, either show or suggest the features of claim 15 or 19. Claims 15 and 19 are, therefore, believed to be patentable over the art and since all of the dependent claims are ultimately dependent on claim 15, they are believed to be patentable as well.

In view of the foregoing, reconsideration and allowance of claims 15-19 are solicited.

In the event the Examiner should still find any of the claims to be unpatentable, counsel respectfully requests a telephone call so that, if possible, patentable language can be worked out.

Petition for extension is herewith made. The extension fee for response within a period of 2 months pursuant to Section

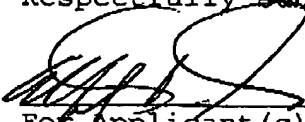
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1.136(a) in the amount of \$225 in accordance with Section 1.17
is enclosed herewith.

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Please charge any other fees which might be due with respect
to Sections 1.16 and 1.17 to the Deposit Account of Lerner
Greenberg Stemer LLP, No. 12-1099.

Respectfully submitted,



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For Applicant(s)

AKD:cgm

August 18, 2006

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